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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,426	02/22/2002	Petri Koskelainen	1135.41220X00	7008

20457 7590 04/21/2005

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EXAMINER

TAYLOR, NICHOLAS R

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/079,426	<b>Applicant(s)</b> KOSKELAINEN ET AL.	
	<b>Examiner</b> Nicholas R Taylor	<b>Art Unit</b> 2141	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 29-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/22/02, 01/28/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 29-59 have been examined and are rejected.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 39 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 39 recites the limitation "service code." There is insufficient antecedent basis for this limitation in the claim. For the purposes of this office action, it is interpreted that claim 39 would depend on claim 38, using the "service code" defined in claim 37.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 29, 40-42, 53, 54, and 59 are rejected under 35 U.S.C. 102(e) as being anticipated by Glitho et al. (US Patent 6,687,356.)

6. As per claims 29, 42, and 59, Glitho teaches a method for provisioning services to a terminal, which performs communication via at least one communication network, each network being equipped with at least one service processing entity (Glitho, column 4, lines 27-40), the method comprising the steps of:

requesting, by the terminal, a specified service to be at the disposition of the requesting terminal;

analyzing the request by an analyzing entity associated with the at least one communication network;

deciding, by the analyzing entity, that the requested specified service is associated to a specific one of the service processing entities of the specific one of the communication networks; and

in response to the decision, routing communication messages associated with the terminal via the analyzing entity to the specified service processing entity within the specified communication network (Glitho, column 4, line 40 to column 5 line 11, and figure 2.)

7. As per claims 40 and 53, Glitho teaches the system further wherein the communication networks are distinguishable by at least one of the network type and/or the network operator (Glitho, column 3, line 66 to column 4, line 8.)

8. As per claims 41 and 54, Glitho teaches the system further wherein the services are distinguishable by at least one of the terminal type, subscriber identifier, subscriber profiles, manufacturer of the terminal, capabilities of the terminal or vendor of the terminal (Glitho, column 4, lines 28-40.)

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 30-32, 35-38, 43-45, 48-51, and 55-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glitho et al. (US Patent 6,687,356) and Jones et al. (US PGPub 2003/0212800.)

11. As per claims 30 and 43, Glitho teaches the above, yet fails to teach wherein requesting the specified service comprises indicating the specified service in a request message.

Jones teaches service routing in a communication network (Jones, figure 1) where the service requestors indicate the specified service in a request message (Jones, paragraph 0022.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Glitho and Jones to provide the

request message of Jones in the system of Glitho, because doing so would enable multiple service providers to serve subscribers via a common access network (Jones, paragraph 0007.)

12. As per claims 31 and 44, Glitho-Jones teaches the system further wherein the specified service is indicated by a service identifier carried in the request message (Jones, paragraph 0022.)

13. As per claims 32 and 45, Glitho-Jones teaches the system further wherein the identifier is carried in the user data payload in the request message (Jones, paragraph 0022.)

14. As per claims 35 and 48, Glitho-Jones teaches the system further wherein the request message comprises at least a subscriber identifier (Jones, paragraph 0022.)

15. As per claims 36 and 49, Glitho-Jones teaches the system further comprising the steps of:

detecting that the request message does not comprise a service identifier; and in response thereto, retrieving the service identifier based on the subscriber identifier from a database entity (Glitho, column 4, lines 50-58.)

16. As per claims 37 and 50, Glitho-Jones teaches the system further wherein the service identifier comprises a network code and/or a service code (Jones, paragraph 0062.)

17. As per claims 38 and 51, Glitho-Jones teaches the system further wherein the network code represents a respective one of the communication networks (Jones, paragraph 0062.)

18. As per claims 55 and 56, Glitho-Jones teaches the system further wherein the request message is transported using the Session Initiation Protocol SIP (Glitho, column 8, lines 26-34.)

19. As per claims 57 and 58, Glitho-Jones teaches the system further wherein the service identifier comprises a network code and/or a service code (Jones, paragraph 0062.)

20. Claims 33, 34, 39, 46, 47 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glitho et al. (US Patent 6,687,356) and Jones et al. (US PGPub 2003/0212800), further in view of Davis et al. (US PGPub 2003/0041146.)

21. As per claims 33 and 46, Glitho-Jones teaches the above, yet fails to teach wherein the identifier is carried in a header of the request message.

Davis teaches a connection allocation method (Davis, paragraph 0019) that uses service codes representing services via message headers (Davis, paragraph 0049 & 0052, figure 2.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Glitho-Jones and Davis to provide the service code headers of Davis in the system of Glitho-Jones, because doing so would allow intelligent and high speed connection decisions providing enhanced network services (Davis, paragraph 0018.)

22. As per claims 34 and 47, Glitho-Jones teaches the above, yet fails to teach wherein the identifier is piggybacked to the header.

Davis teaches a connection allocation method (Davis, paragraph 0019) that uses service codes representing services via message headers (Davis, paragraph 0049 & 0052, figure 2.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Glitho-Jones and Davis to provide the service code headers of Davis in the system of Glitho-Jones, because doing so would allow intelligent and high speed connection decisions providing enhanced network services (Davis, paragraph 0018.)

23. As per claims 39 and 52, Glitho-Jones teaches the above, yet fails to teach wherein the service code represents a respective one of the services to be processed at the corresponding service processing entity.



Davis teaches a connection allocation method (Davis, paragraph 0019) that uses service codes representing services via message headers (Davis, paragraph 0049 & 0052, figure 2.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Glitho-Jones and Davis to provide the service code headers of Davis in the system of Glitho-Jones, because doing so would allow intelligent and high speed connection decisions providing enhanced network services (Davis, paragraph 0018.)

### ***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes US PGPub 2002/0188744, and US Patents 6,775,273, 6,804,720, and 6,788,939.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Art Unit: 2141

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Taylor  
Examiner  
Art Unit 2141

  
RUPAL DWADIA  
SUPERVISORY PATENT EXAMINER